

## **REMARKS/ARGUMENTS**

### **A. Introduction**

In the Office action of October 3, 2007, the Examiner:

1. Rejected claims 1–27 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.
2. Rejected claims 16–23 under 35 USC §103(a) as being unpatentable over US Patent No. 6,182,050 to Ballard (hereinafter “*Ballard*”);
3. Rejected claims 24–27 under 35 USC §103(a) as being unpatentable over US Patent No. 6,182,050 to Ballard (hereinafter “*Ballard*”); and
4. Noted that claims 1 – 15 will be given favorable consideration if step d of claim 1 is replaced by the limitations recited in steps b and c of claim 16 and the 35 U.S.C. §112 ¶2 rejection is overcome.

### **B. Drawings**

The Applicant thanks the Examiner for having accepted the drawings filed on April 1, 2004.

**The Applicant thanks the Examiner for the present Office action including noting by the Examiner of conditionally allowable subject matter and responds as follows:**

### **C. Rejection of Claims 1-27 under 35 USC §112, ¶2**

#### **1. Claim 1**

The Applicant has amended claim 1 so that the original “the first visitor” is currently amended to read “a first visitor, of the at least one visitor” thereby providing the antecedent basis. The Applicant has amended claim 1 so that the original “the first visitor” is currently amended to read “a first visitor, of the at least one visitor” thereby providing the antecedent basis. Also as to claim 1, the Applicant has amended the original second receiving step to read, with emphasis on the currently amended portion,

as follows: “receiving, from the browser of at least one visitor *of the one or more users*, to a web publisher's site, an advertisement request.” By this amendment, when taken together with the original first receiving step, i.e., “receiving, from the at least one Internet Service Provider, for each of the one or more users: (i) a user Internet Protocol address and (ii) a user attribute vector,” the Applicant respectfully asserts the indefiniteness rejection as to claim 1 has been addressed.

Claims 5, 6 and 7 have been amended to comport with the clarifications and further limitations of claim 1.

## **2. Claim 16**

The Applicant has amended claim 16 so that the original “identifying, by an acquiring entity,” is currently amended to remove the limitation that the identifying step is performed by an acquiring entity. Claim 16 has been amended to include the step of “notifying, by a procuring system, the web publisher of the retrieved Internet Protocol address of each of the at least one Internet user having a matched first attribute, wherein the web publisher includes an ad tag for the procuring system in at least one web page served to the at least one Internet user having a matched first attribute.” By this amendment to claim 16, the Applicant respectfully asserts the indefiniteness rejection as to claim 16 has been addressed.

Claims 17 and 18 have been amended to comport with the clarifications and further limitations of claim 16. Claim 20 has been cancelled and the step of claim 20 has been incorporated into, and to further limit, claim 16. Claims 21, 22 and 23 have been amended to comport with the cancellation of claim 20.

### **3. Claim 24**

By this paper, the Applicant amend claim 24 at lines 7 to 9 of the claim so that the original limiting clause after “Internet Protocol address-to-user attribute vectors,” is currently amended to read, with emphasis on the currently amended portion, as follows: “wherein each *vector comprises an Internet Protocol address associated with a user and* one or more user attributes.” Support for this clarification may be found in the original specification at pages 10 – 11 and FIG. 3. Claim 24 is further amended to include the at least one processor executing the step of notifying the at least one web publisher of the one or more Internet Protocol addresses associated with each of the one or more Internet Protocol address-to-user attribute vector pairs having at least one user attribute matched with the at least one targeted attribute. By these amendments to claim 24, the Applicant respectfully asserts the indefiniteness rejection as to claim 24 has been addressed.

Claim 25 has been cancelled and the processing step of claim 25 has been incorporated into, and to further limit, claim 24. Claim 26 has been amended to comport with the clarifying amendment of claim 24.

### **4. Summary of Response to Rejection of Claims 1-27 under 35 USC §112, ¶2**

By the amendments described above and submitted for entry by the Applicant, the Applicant respectfully asserts all of the Examiner’s bases for rejection of claims 1 -27 under 35 USC §112, ¶2 (indefiniteness) have been addressed either by amendment or cancellation. Accordingly, the Applicant requests the Examiner withdraw the rejection of the presently pending claims based on 35 USC §112, ¶2.

### **D. Rejection of claims 16–23 under 35 USC §103(a)–Ballard**

The Examiner rejected claims 16-23 under 35 USC §103(a) as being unpatentable over *Ballard*. Claim 16 has been amended to claim processing steps where the notifying step is performed by a procuring system, where the procuring system is separate from an Internet user and separate from a web publisher, and where the steps of executing the method include: (a) identifying a plurality of attributes of the at least one Internet user; (b) comparing a targeting attribute of at least one current advertising campaign to the first

attribute of the plurality of attributes of the at least one Internet user for a match; (c) retrieving the Internet Protocol address of each of the at least one Internet user having a matched first attribute; and (d) notifying, by a procuring system, the web publisher of the retrieved Internet Protocol address of each of the at least one Internet user having a matched first attribute, wherein the web publisher includes an ad tag in at least one web page served to the at least one Internet user having a matched first attribute. The Applicant respectfully asserts *Ballard* does not disclose the method as claimed in claim 16 and accordingly, claim 16 and dependent claims 17-19 and 21-23 are patentable over the cited reference.

#### **E. Rejection of claims 24–27 under 35 USC §103(a)–*Ballard***

The Examiner rejected claims 24-27 under 35 USC §103(a) as being unpatentable over *Ballard*. Claim 24 has been amended to claim the step of providing at least one processor executing the steps of: receiving, from one or more Internet Service Providers, one or more Internet Protocol address-to-user attribute vectors, wherein each vector comprises an Internet Protocol address associated with a user and one or more user attributes; determining the one or more users to receive said advertisement content by comparing for a match of at least one targeted attribute with at least one user attribute of the one or more Internet Protocol address-to-user attribute vectors received from one or more Internet Service Providers; and notifying the at least one web publisher of the one or more Internet Protocol addresses associated with each of the one or more Internet Protocol address-to-user attribute vectors having at least one user attribute matched with the at least one targeted attribute. The Applicant respectfully asserts *Ballard* does not disclose the method processing by a provided processor as claimed in claim 24 and accordingly, claim 24 and dependent claims 26 and 27 are patentable over the cited reference.

#### **F. Claims 1 - 15**

The Examiner indicated in the Office action, mailed October 3, 2007, that original claims 1 – 15 will be given favorable consideration if step d of original claim 1 is

replaced by the limitations recited in steps b and c of original claim 16 and the 35 USC §112, ¶2 rejection of original claims 1 -27 is overcome.

The original steps b and c of claim 16 read as follows:

- (b) comparing a targeting attribute of at least one current advertising campaign to the first attribute of the plurality of attributes of the at least one Internet user for a match; and
- (c) retrieving the Internet Protocol address of each of the at least one Internet user having a matched first attribute

The original step d of claim 1 read as follows:

- (d) generating an advertisement targeting one or more attributes of the first visitor

The currently amended steps a-d of claim 1 reads as follows (with emphasis on the amended portion):

- (a) receiving, from the at least one Internet Service Provider, for each of the one or more users: (i) a user Internet Protocol address and (ii) a user attribute vector;
- (b) receiving, from the browser of at least one visitor *of the one or more users*, to a web publisher's site, an advertisement request;
- (c) determining an attribute vector of *a* first visitor, *of the at least one visitor*, by comparing for a match of the Internet Protocol address of the first visitor and each of the Internet Protocol addresses of the one or more users;
- (d) generating an advertisement targeting one or more attributes of the first visitor, *wherein the generating step comprises comparing a targeting attribute of at least one*

***current advertising campaign to a first attribute of one or  
more attributes of the first visitor for a match***

By the clarifying amendments to steps b and c and the limiting amendment to step d, the Applicant respectfully asserts that the clarifications and limitation identified by the examiner have been addressed by the amendment of claim 1 and accordingly claim 1 has been placed in condition for allowance.

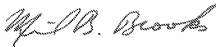
#### G. Conclusion

Claims 20 and 25 have been cancelled. Claims 1-19, 21-24, and 26-27 remain pending in the present application. The Applicant respectfully submits that for the reasons stated above, claims 1-19, 21-24, and 26-27 are presently patentable over the cited reference and in condition for allowance. The Applicant has taken care that no new matter has been entered by these amendments per 35 USC §312 and 37 CFR §1.121. While no additional fees are anticipated with this response, should additional fees be required, authorization is hereby given to charge any additional fees, and credit any overcharges pertaining to the prosecution of this matter to Deposit Account No. 02-3979.

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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